

U.S. APPLICATION NO. 09/915,528
AMENDMENT

REMARKS

Claims 1-9 are all the claims pending in the application. By this Amendment, Applicants are amending claims 1 and 9. No new matter is added.

The current prior art rejections are summarized as follows:

1. Claims 1-3, 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hake et al. (USP 5,917,155) in view of Dillow et al. (USP 4,430,385).

2. Claims 4-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hake et al. in view of Dillow et al. as applied to claim 1 above, and further in view of Livingston et al.

Applicants maintain, and incorporate as if fully set forth herein, the arguments mad in the Response of October 31, 2002.

In addition, Applicants are amending claims 1 and 9 to recite that the sheath for the cable consists of only an inner layer and an outer layer, which further distinguishes over Hake et al., which discloses three layers: 16, 18, and 20.

Moreover, Applicants submit that neither Hake et al. or Dillow et al., whether considered alone or together, teaches or suggests the recited structural relationship between the tensile strength and elongation at break of the inner layer and outer layers. That is, the present invention is directed to a cable having a core surrounded by a sheath of insulation material from which the sheath can be stripped without the risk of damaging the core. See Specification at page 2, lines 6 to 8. Accordingly, Applicants claim a sheath that has two layers of materials, which are firmly bonded together by extruding the outer layer around the inner layer, and wherein the values for tensile strength and elongation at break of the inner layer are significantly lower than those of the outer layer. Applicants disclose that this structural relationship can be achieved with the same

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base materials by mixing additives into the material of the inner layer (see specification at line 1 and 8-11 on page 4).

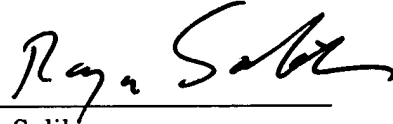
The mere disclosure in Hake et al. of including additives in one or more layers, by itself does not teach or suggest the important and unique claimed structure defined by the relative tensile strength and elongation at break of the inner and outer layers. Rather, as explained in Applicants' Response of October 31, 2002, the conductor of Hake et al. is coated with enamel compositions that incorporate a corona resistant filler (see Field Of The Invention). The intermediate layer 18 comprises alumina particles dispersed in a polymeric binder (see column 4, lines 21 and 22). The first layer 16 helps prevent the second (intermediate) layer 18 from cracking and/or delaminating (see column 3, lines 39 and 40). The outermost layer 20 in combination with the first layer 16 protects the intermediate layer 18 and also contributes to the electrical and thermal properties, as well as to the impact resistance, scrape resistance, and windability of the cable (see column 3, lines 48 to 54). Hake et al. is entirely silent regarding the tensile strength and elongation at break, or even the easy removal of an inner layer of a sheath.

Specifically, one skilled in the art would need to know the particular objective (i.e., making the values for tensile strength and elongation at break of the inner layer significantly lower than those of the outer layer) before deciding which additives to include and how to include them. Both Hake et al. and Dillow et al. are entirely silent about this claimed structural relationship, and, therefore, these references cannot be relied upon for such a teaching or suggestion.

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Entry and consideration of this Amendment are respectfully requested.

Respectfully submitted,



Raja Saliba
Registration No. 43,078

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

Claim 1. (Twice Amended) A cable with at least one transmission element, which is surrounded by a sheath of insulation material, wherein the sheath (M) [comprises] consists of only an inner layer (3) and an outer layer (4), which are made of materials being firmly bonded together when the outer layer (4) is extruded around the inner layer (3) and wherein the values for tensile strength and elongation at break of the inner layer (3) are significantly lower than those of the outer layer (4).

Claim 9. (Twice Amended) A cable with at least one transmission element, which is surrounded by a sheath of insulation material, wherein the sheath [comprises] consists of only an inner layer and an outer layer, wherein the inner layer and the outer layer are firmly bonded together by extruding the outer layer around the inner layer without a separate adhesive therebetween, and wherein the values for tensile strength and elongation at break of the inner layer are significantly lower than those of the outer layer.